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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,543	04/08/2004	Deshitha Airawana Edirisuriya	1171/40711A/127A-CIP	8375

279 7590 08/28/2007
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EXAMINER

WOLLSCHLAGER, JEFFREY MICHAEL

ART UNIT	PAPER NUMBER
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1732

MAIL DATE	DELIVERY MODE
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08/28/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/820,543

Applicant(s)

EDIRISURIYA ET AL.

Examiner

Jeff Wollschlager

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

Applicant's amendment to the claims filed May 14, 2007 has been entered. Claims 1-5 have been canceled. Claims 6-9 are pending and under examination.

Terminal Disclaimer

The terminal disclaimer filed on May 24, 2006 in the parent application linking 10/314,812, now U.S. Patent 7,157,0035, with the instant application has been recorded.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Woodward et al. (U.S. Patent 2,733,734).

Regarding claim 6, Woodward et al. disclose a method of making a flexible hose/conduit with a connector on the end comprising: overmolding a soft flexible rubber topping onto said conduit, including positions proximal to the end of said conduit (a') (col. 2, lines 4-23) followed by molding said connector (e) over said conduit and said rubber topping causing said cuff to become an integral part of the inner surface of the connector (col. 2, lines 25-52; Figures 2 and 4-6).

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The examiner notes that the instant usage of the word "cuff" and the usage of the word "cuff" employed by Woodward et al. have different meanings. The cuff employed by Woodward et al. is the instant connector.

As to claim 7, the rubber employed by Woodward et al. intrinsically meets the limitation, as the rubber is understood to have a low melting point, broadly defined, in accord with the specification.

As to claims 8 and 9, Woodward et al. disclose a conduit having a helically wound tube and includes at least one electrical conductor wrapped around the conduit as claimed (col. 1, lines 33-35; Figures 2 and 4-6)

Response to Arguments

Applicant's arguments filed May 14, 2007 with respect to the 35 U.S.C 112 second paragraph rejection and the 35 U.S.C. 102(e) rejection of claims 6-9 over Edirisuriwa et al. have been considered and are persuasive.

Applicant's arguments filed May 14, 2007 with respect to the rejection of claims 6-9 over Woodward et al. have been fully considered, but they are not persuasive.

Applicant's arguments appear to be on the following grounds:

1. Woodward et al. do not teach "overmolding" as there is no indication the parts are bonded to one another by any sort of process requiring heat, melting, or both.

The arguments are not persuasive for the following reason:

1. Woodward et al. wrap an unvulcanized rubber tube a' with a rubber-impregnated fabric a² such that the fabric strips overlap (i.e. the surface of the tube is encapsulated by the fabric a²). The rubber-impregnated fabric is treated with a coat of rubber adhesive and dried. The assembly is then wrapped with a covering and consolidated. As defined, at

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<http://www.onelook.com>, the word consolidate is defined as “unite into one”. Further, the rubber is partially vulcanized prior to application of the cuff (e) (i.e. the connector in the instant claim). Finally, the hose containing all the constituent pieces is wrapped with a cover and vulcanized thereby allowing removal of the string and wrapping to yield a finished hose. The examiner submits that this process disclosed by Woodward et al. is reasonably interpreted as “overmolding” the tube with the rubber-impregnated fabric and that it appears the arguments are directed to a narrow interpretation of the word “overmold”. It is the examiner’s position that the claims would need to be amended to distinguish over the teaching of Woodward et al.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

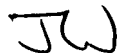
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Wollschlager whose telephone number is 571-272-8937. The examiner can normally be reached on Monday - Thursday 7:00 - 4:45, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on 571-272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jeff Wollschlager
Examiner
Art Unit 1732

August 23, 2007



CHRISTINA JOHNSON
SUPERVISORY PATENT EXAMINER